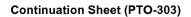
Advisory Action Before the Filing of an Appeal Brief

Application No.	Applicant(s)		
10/509,852	DREVON, NICOLAS		
Examiner	Art Unit		
ERIC ELCENKO	2617		

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The MAILING DATE of this communication appe	ars on the cover sheet with the c	correspondence add	ress	
THE REPLY FILED 04 December 2008 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.				
1. The reply was filed after a final rejection, but prior to or on application, applicant must timely file one of the following application in condition for allowance; (2) a Notice of Apper for Continued Examination (RCE) in compliance with 37 C periods:	the same day as filing a Notice of A replies: (1) an amendment, affidavit al (with appeal fee) in compliance	Appeal. To avoid abar t, or other evidence, w with 37 CFR 41.31; or	hich places the (3) a Request	
a) The period for reply expires <u>3</u> months from the mailing date	of the final rejection.			
b) The period for reply expires on: (1) the mailing date of this Arno event, however, will the statutory period for reply expire la Examiner Note: If box 1 is checked, check either box (a) or (IMONTHS OF THE FINAL REJECTION. See MPEP 706.07(f	iter than SIX MONTHS from the mailing b). ONLY CHECK BOX (b) WHEN THE).	g date of the final rejection FIRST REPLY WAS FII	on. LED WITHIN TWO	
Extensions of time may be obtained under 37 CFR 1.136(a). The date of have been filed is the date for purposes of determining the period of extunder 37 CFR 1.17(a) is calculated from: (1) the expiration date of the set forth in (b) above, if checked. Any reply received by the Office later may reduce any earned patent term adjustment. See 37 CFR 1.704(b). NOTICE OF APPEAL	ension and the corresponding amount of the corresponding a	of the fee. The appropria nally set in the final Offic	ate extension fee e action; or (2) as	
 The Notice of Appeal was filed on <u>04 December 2008</u>. A lithe date of filing the Notice of Appeal (37 CFR 41.37(a)), cappeal. Since a Notice of Appeal has been filed, any reply AMENDMENTS 	or any extension thereof (37 CFR 4	1.37(e)), to avoid disr	nissal of the	
3. The proposed amendment(s) filed after a final rejection, b	out prior to the date of filing a brief	will not be entered be	cause	
(a) They raise new issues that would require further cor			cause	
(b) They raise the issue of new matter (see NOTE below	•	•		
(c) They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for				
appeal; and/or (d) ☐ They present additional claims without canceling a c	orresponding number of finally reje	octed claims		
NOTE: (See 37 CFR 1.116 and 41.33(a)).	orresponding number of finally reje	cica ciairris.		
4. The amendments are not in compliance with 37 CFR 1.12	21. See attached Notice of Non-Cor	mpliant Amendment (I	PTOL-324).	
5. Applicant's reply has overcome the following rejection(s):			,	
6. Newly proposed or amended claim(s) would be all	owable if submitted in a separate, t	imely filed amendmer	nt canceling the	
non-allowable claim(s). 7. ☑ For purposes of appeal, the proposed amendment(s): a) [will not be entered, or b) will will	be entered and an ex	xplanation of	
how the new or amended claims would be rejected is provided below or appended.				
The status of the claim(s) is (or will be) as follows: Claim(s) allowed:				
Claim(s) allowed Claim(s) objected to:				
Claim(s) rejected: <u>1-16</u> .				
Claim(s) withdrawn from consideration:				
AFFIDAVIT OR OTHER EVIDENCE	before or on the date of filing a Ne	ution of Annaal will not	be entered	
 The affidavit or other evidence filed after a final action, but because applicant failed to provide a showing of good and was not earlier presented. See 37 CFR 1.116(e). 				
9. The affidavit or other evidence filed after the date of filing a entered because the affidavit or other evidence failed to or showing a good and sufficient reasons why it is necessary	vercome <u>all</u> rejections under appea and was not earlier presented. Se	ll and/or appellant fails ee 37 CFR 41.33(d)(1)	s to provide a).	
10. The affidavit or other evidence is entered. An explanation	n of the status of the claims after er	ntry is below or attach	ed.	
REQUEST FOR RECONSIDERATION/OTHER 11. ☑ The request for reconsideration has been considered but	does NOT place the application in	condition for allower	ce hecause:	
The claimed subject matter does not overcome the prior		Condition for alloward	ce pecause.	
12. Note the attached Information Disclosure Statement(s). (
13.				
/Alexander Eisen/				
Supervisory Patent Examiner, Art Unit 2617				
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Application No.